SUMMARY OF INTERVIEW

A telephonic conversation was held on October 11, 2007 in which the Examiner and counsel discussed the pending 35 U.S.C. §103(a) rejection. While the Examiner referenced paragraph [0071] of the secondary reference, counsel for the Applicant was unable to locate this passage as both of the references are U.S. patents and therefore not denominated by paragraph numbers. Applicant requests the Office clarify which portion of the references the Office is citing such that Applicant may fully respond to the Office's contention.

REMARKS

Claims 1, 5, 9, 13, 17 and 21 are pending.

35 U.S.C. § 103(a) Rejection

Claims 1, 5, 9, 13, 17 and 21 are rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,609,106 to Robertson et al. (hereinafter "Robertson") in view of United States Patent Number 6,073,119 to Bornemisza-Wahr et al. (hereinafter "Wahr"). Applicants traverse the rejection.

Applicant respectfully notes that while the Office has cited the above combination of Robertson/Wahr, several of the pending rejection appear to rely on "Official Notice" of the knowledge of one of ordinary skill in the art or "well known" (thus making the combination Robertson/Wahr/"well known"). Applicant challenged the asserted knowledge in accordance with *M.P.E.P. §2144.03* in the Response filed on December 19, 2007. The Office has not yet provided a

reference which would corroborate with the Office's contended knowledge or to provide an Affidavit under 37 CFR 1.104(d)(2).

Independent Claim 1, in-part, recites a method for use in a graphical user interface configured to support a login operation, the method comprising:

- "while conditions allow for the reception of the user password input and it is determined that there has been a failure to operatively receive the user password input for the login operation, then automatically displaying reminder information associated with the user input field through a non-modal mechanism within the graphical user interface, wherein the display of the reminder information is removed upon receipt of a beginning of an input via the at least one user input field."

Presuming (for the sake of argument only) a motivation to combine exists, the rejection of Claim 1 is, at least, improper because the Wahr reference (cited for this teaching) fails to correct the deficiency of Robertson to teach "wherein the display of the reminder information is removed upon receipt of a beginning of an input via the at least one user input field." In order for a rejection under 35 U.S.C. § 103(a) to be proper all the claim features must be disclosed in the references. This is not the present case as neither the cited portions of Wahr or anywhere does Wahr teach or suggest "wherein the display of the reminder information is removed upon receipt of a beginning of an input via the at least one user input field." For convenience, Wahr Col. 19, lines 62-66 and Col. 20, lines 24-33 are reproduced below.

In Wahr, what is being "popped-up" is a <u>password entry</u> (i.e., a popup which accepts a password, so that the user may enter the password) and not "reminder information associated with the user input". Thus, Wahr does not teach or suggest "the display of the reminder information", such as via a "non-modal mechanism". In order for a rejection to be proper under §103(a), <u>all</u> the features must be shown. This is not the present case because Wahr fails to fill-in for the failure of Robertson to teach "reminder information associated with the user input field through a non-modal mechanism". In other words, if for the sake of argument only, we assume that Roberts teaches "reminder information", upon combining Wahr one would be instructed to popup a password entry and not "reminder information". In other words, if the combination of Roberts/Wahr were to be proper, then the combination would only teach displaying reminder information while "popping up" a password entry. In order to arrive at the subject matter of Claim 1, reader <u>would have to ignore</u> the <u>direct</u> teaching in Wahr (i.e., accept a password entry in a popup) in favor of placing reminder information in the Wahr popup. Instead of buttressing the Office's position regarding §103(a), ignoring Wahr's disclosure of including a password would indicate that the

pending rejection is improper because upon reading Wahr, one would have to ignore the teaching of accepting a password entry in popup in order for the contended combination to be proper. As a result, not every feature recited in Claim 1 is disclosed.

The Office's contention that one of ordinary skill in the art would know to modify Wahr to cause the Wahr popup to disappear "upon receipt of an input" is incorrect. First, the Office's position fails to acknowledge that Claim 1 as amended, in part, recites "wherein the display of the reminder information is removed upon receipt of a beginning of an input." Additionally, the Wahr popup cannot disappear upon receiving an entry as it is the popup itself which accepts the login (i.e., the password). This is to say, that the Wahr popup would have to disappear as the user begins to enter a password into the popup. As a result, a user attempting to enter a password into the Robertson/Wahr "password popup" would be confronted with (and most likely frustrated by) a popup (including an entry portion for accepting the login) disappearing upon the user beginning to enter a password.

For at least the foregoing reasons, the pending rejection is improper. Removal of the pending rejection is requested and allowance is solicited.

The pending rejection of **Claim 5** is improper as Claim 5 depends from an independent claim which is in a condition for allowance. Applicant traverses the rejection. In particular, the Office's contentions are improper because the Wahr reference (cited for this proposition) fails to teach or suggest "providing password

reminder information". Instead, Wahr teaches the appearance of a password popup which may accept a user login. <u>Nowhere</u>, does Wahr disclose that this password popup includes "password reminder information". Applicant respectfully disagrees with the Office's contention regarding the knowledge of one of ordinary skill in the art and requested the Office provide an affidavit so the Applicant may offer rebutting evidence. While the pending rejection contends that "it takes a given amount of time to pop up a password hint", this is a mischaracterization of the claimed subject matter because the delay in the example is a delay in getting a popup to "pop-up" and not removing a popup once it has appeared. While it may take some time to popup a "popup", the Office has failed to show how this teaches "wherein the display of the reminder information is removed upon receipt of a beginning of an input via the at least one user input field" in which "the reminder information includes user provided password reminder information." Removal of the pending rejection is requested and allowance is solicited.

The pending rejection of **Independent Claim 9** should be at least removed based on the same rationale as discussed with respect to Claim 1. While the outstanding action (once again) addresses Claims 1, 9 and 17 together, Claim 9 recites language which differs from that in Claim 1 and is therefore separately patentable. In particular, Claim 9, in part, recites:

- "determining if there has been a failure to operatively receive the user password input for the login operation while conditions allow for the reception of

the user input, wherein the failure is detected at least in part by failure to receive the user password input for a given amount of time;

• automatically displaying reminder information associated with the user input field through a non-modal mechanism within the graphical user interface based on the failure to operatively receive the user password input; and

• removing reminder information associated with the user input field upon beginning to input a second user password."

Nowhere does Robertson/Wahr teach these features nor is the knowledge of one of ordinary skill in the art, at the time of the invention was made, cited as correcting this deficiency. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Ryoka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). *See also In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970). The Office has failed to provide any rationale which would render obvious the feature in which "failure is detected at least in part by failure to receive the user password input for a given amount of time." Robertson does not do this because Robertson only addresses incorrect entries at Col. 20, lines 40-53 (reproduced below) and not "by failure to receive the user password input for a given amount of time."

As a *prima facie* case of obviousness has not been shown, removal of the pending rejection is requested and allowance is earnestly solicited.

Independent Claim 17 is allowable based on the same rationale as discussed with respect to Claim 1. As noted above, while the outstanding action treats Claims 1, 9 and 17 together, Claim 17 recites language which differs from that in Claims 1 and 9 and is therefore separately patentable. In particular, Claim 17 in part recites:

- "automatically display reminder information associated with the user input field through a non-modal mechanism as a hint balloon within the graphical user interface based on the failure to operatively receive the user password input; and
- remove the hint balloon upon receiving a second input."

Nowhere does Robertson/Wahr/"well known knowledge" teach or suggest the utilization of a hint balloon and removal of a hint balloon. In Wahr, the only possible balloon that may be remove would be the "password popup"

which fails to teach or suggest a "hint balloon" and would also prevent a user from completing entry of the password. For at least the foregoing reasons, the pending rejection is improper. Removal of the pending rejection is requested and allowance is solicited.

Claim 13 is pending a rejection under 35 U.S.C. §103(a) over Robertson in-view of "well known art" as asserted in the rejection of Claim 5. Applicants traverse the rejection. Claim 13 is at least allowable based on its dependency from Claim 9 which is believed to be in a condition for allowance. Claim 13 recites different subject matter than that in Claim 5 (asserted to be similar in scope) and is therefore separately patentable. Applicants will not burden the record further. Removal of the pending rejection is requested and allowance is solicited.

Claim 21 is pending a rejection under 35 U.S.C. §103(a) over Robertson in-view of "well known art" under the same rationale as Claim 5. Applicant traverses the rejection. Claim 21 is at least allowable based on its dependency from Claim 17 which is believed to be in a condition for allowance. Moreover, Claim 21 recites different subject matter than that in Claim 5 (asserted to be similar in scope) and is therefore separately patentable. Removal of the pending rejection is requested and allowance is solicited.

Conclusion

All of the claims are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability,
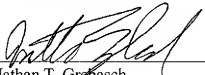
Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

Dated: _11.20.07_   By: _____

Nathan T. Grebasch
Reg. No. 48,600
(509) 324-9256 x228